

(Chapter 20L)

# **INMAN PARK HISTORIC DISTRICT REGULATIONS**

## **Section 16-20L.001. Statement of Intent.**

The intent of the regulations for the Inman Park Historic District is as follows:

1. To preserve the historic physical pattern of the district, including curvilinear streets and parks, the spatial relationships between buildings, and the spatial relationship between buildings and the street;
2. To preserve the architectural history of the district including residential, institutional, commercial, and industrial buildings that were constructed from the 1860's to 1945, including the largest concentration of High Victorian residences in the City;
3. To preserve the diversity of housing types that exists within the district and preserve the historic platting pattern of the residential areas as it existed in 1945;
4. To ensure that new development is compatible with present architectural and spatial characteristics that are characteristic of the district;
5. To ensure that new construction is consistent with the character of the subarea of the district within which it is to be built and that such new construction blends harmoniously with the historic character of the entire district;
6. To preserve the residential character of the district and to ensure that new construction reflects and reinforces the exceptional design features that were established in the original plan for Inman Park;
7. To ensure that new construction observes the general setbacks and height restrictions of the original development and is in harmony with the historic character of the district;
8. To recognize the importance of parks, open space, and institutional buildings in the development of one of Atlanta's earliest garden suburbs;
9. To ensure that new development that uses contemporary design and materials is compatible with and sensitive to the historic character of the Inman Park Historic District;
10. To encourage containment of existing commercial areas and discourage encroachment of the commercial areas into the historic residential area;
11. To ensure that the original design characteristics of commercial and industrial buildings serve as the basis on which plans for new construction, additions and rehabilitation of commercial and industrial buildings will be judged by the Urban Design Commission for harmony, compatibility and appropriateness to the Inman Park Historic District; and
12. To preserve and enhance the historic and architectural appearance of the district so as to substantially promote the public health, safety and general welfare.

## **Section 16-20L.002. Scope of Regulations.**

The scope of these regulations for the Inman Park Historic District is as follows:

1. The existing zoning map and all regulations governing all properties within the Inman Park Historic District shall remain in full force and effect. The regulations

contained within this Chapter 20L shall be overlaid upon, and shall be imposed in addition to, said existing zoning regulations. Whenever the following overlay regulations are at variance with said existing zoning regulations, the following regulations of Chapter 20L shall apply.

2. Except where it is otherwise explicitly provided, the provisions of Chapter 20 of this part shall apply to this district. Whenever the regulations of Chapter 20L conflict with the provisions of Chapter 20, the regulations of Chapter 20L shall apply.
3. All other statutes, rules, regulations, ordinances, or other governmentally adopted regulations pertaining to properties within this Inman Park Historic District shall continue to apply. In the event of any conflict between said other regulations and the following regulations of this Chapter 20L, the interpretation provision set forth in Section 16-20.011 of the Code of Ordinances shall govern.

### **Section 16-20L.003. Boundaries.**

The boundaries of the Inman Park Historic District constitute an overlay Historic District (HD) zoning district, which district shall be as shown on the official zoning map adopted herewith entitled "Inman Park Historic District." The district is divided into three (3) subareas, as follows:

1. Inman Park Core District, Subarea 1.
2. DeKalb Avenue Corridor Transitional District, Subarea 2.
3. Railroad Corridor Commercial and Industrial Transitional District, Subarea 3.

### **Section 16-20L.004. Organization.**

The overlay zoning regulations for the Inman Park Historic District consist of two (2) parts. The first part consists of general regulations that apply to all properties located within this district. The second part consists of specific regulations that apply to the identified subareas.

### **Section 16-20L.005 General Regulations.**

The following general regulations shall apply to all properties located within the Inman Park Historic District.

1. General Criteria.
  - a. Except as otherwise provided herein, the procedures for determining the appropriate type of Certificate of Appropriateness shall be those specified in Section 16-20.008 of the Zoning Code.
  - b. In the Inman Park Historic District, the Commission shall apply the standards referenced below only if the standards set forth elsewhere in this Chapter 20L do not specifically address the application including multifamily residential, institutional, commercial, industrial and mixed use structures in Subarea 1:
    - i. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

- ii. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
  - iii. Each property shall be recognized as a physical record of its time, place, and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
  - iv. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
  - v. Distinctive materials, features, finishes, and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
  - vi. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
  - vii. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
  - viii. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
  - ix. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
  - x. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- c. New construction in Subarea 2 and in Subarea 3: Contemporary design for new construction and for additions to existing properties shall not be discouraged when such new construction and additions do not destroy significant historical, architectural, or cultural material, and such construction or additions satisfy Section 16-20L.007 or Section 16-20L.008, as applicable.
- d. *Compatibility Rule:* The intent of the Mayor and Council in establishing the regulations of the Inman Park Historic District is to ensure that alterations to existing structures, and new construction, in Subarea 1 and alterations to existing contributing structures in Subarea 2 and Subarea 3 are compatible with the historic design, scale, and general character of the entire district as it existed in 1945, of the contributing structures in each subarea, and of the contributing structures in the immediately adjacent environment of a particular block face, and further, to ensure that lot platting in Subarea 1 is compatible with the historic platting pattern of Subarea 1 and of a particular block face as it existed in 1945. To further that intent and simultaneously permit flexibility in design, the regulations provide a Compatibility Rule which is as follows: Where quantifiable (i.e. building height, setback, etc.), the element or building characteristic in

question shall be no less than the smallest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings and shall be internally consistent with the historic design of the structure and shall be no greater than the greatest such element or building characteristic of buildings or site layouts in that block face that characterizes such like contributing buildings or site layouts and shall be internally consistent with the historic design of the structure. Where not quantifiable (roof form, architectural trim, etc.) it shall be compatible with that which predominates in contributing structures on that block face and shall be internally consistent with the historic design of the structure.

- e. Initial plan review for proposed improvements in Subareas 2 and 3. Prior to submission of any development plans involving new construction including any addition to any existing building that otherwise requires review by the Commission, such plans shall first be submitted to and reviewed by the Bureau of Planning for conformance with the zoning requirements of Subarea 2 or 3 as applies. The Director of the Bureau of Planning shall review said plans and shall transmit to the director of the Urban Design Commission in writing within thirty days of receipt of such plans a written statement as to whether or not in the Planning Director's opinion, such plans are in conformance with the zoning requirements imposed within Subarea 2 or within Subarea 3, as is applicable.

2. Certificates of Appropriateness.

- a. Notwithstanding any other provision herein, no Certificate of Appropriateness shall be required unless, at a minimum, the work would otherwise require a building permit.
- b. Type I Certificates of Appropriateness for ordinary repairs and maintenance shall not be required in this District. Painting or repainting of any structure or portion thereof does not require a Certificate of Appropriateness.
- c. Type II Certificates of Appropriateness. Unless Certificates of Appropriateness are specifically exempted in the Subarea regulations, Type II Certificates of Appropriateness shall be required for any of the following to the extent they are visible from a public street or park: any minor alteration to any façade of any principal structure, fences, walls, accessory structures, and decks, and paving. If a Type II Certificate of Appropriateness is required and the proposed alteration meets the requirements of Section 16-20L.006, Section 16-20L.007, or Section 16-20L.008, as applicable, the Director of the Commission shall issue Type II Certificate within 14 days of the application. If a Type II Certificate of Appropriateness is required and the proposed alteration does not meet the requirements of Section 16-20L.006, Section 16-20L.007, or Section 16-20L.008, as applicable, the Director of the Commission shall deny the application with notice to the applicant within 14 days of the application. Appeals from any such decision of the Director regarding the approval and/or denial of Type II Certificates may be taken by any aggrieved person by filing an appeal in the manner prescribed in the appeals section of Chapter 16-20.008(a) for Type I Certificates.
- d. Type III Certificates of Appropriateness shall be required for:
  - i. All new principal structures.
  - ii. All major alterations and additions to existing structures where visible

from a public street or park, unless such alterations or additions are specifically exempted from Certificates of Appropriateness in the Subarea regulations.

- e. Type IV Certificates of Appropriateness shall be required for demolition or moving of any contributing principal structure. A partial demolition of a contributing principal structure shall require a Type IV Certificate of Appropriateness only when said partial demolition will result in the loss of significant architectural features that destroys the structure's historic interpretability or importance.
3. Variances, Special Exceptions, and Appeals.  
Variance applications, applications for Special Exceptions, and appeals from these Regulations shall be heard by the Commission. The Commission shall have the authority to grant or deny variances from the provisions of this Chapter when, due to special conditions, a literal enforcement of its provisions in a particular case will result in unnecessary hardship. The procedures, standards, and criteria for decisions regarding such variances shall be the same as those specified in Chapter 26 of this Part 16. The Commission shall have the authority to grant or deny applications for Special Exceptions pursuant to the standards in Chapter 25. The Commission shall have the authority to grant or deny applications for appeal pursuant to the standards in Section 16-30.010 and the appeal provisions for said decision, set forth in Section 16-30.010(e), shall also apply to the Commission's decision.
4. Financial Hardship Exemptions.
- a. These Regulations set forth a minimum standard of architectural compatibility with the rest of the District. However, in order to balance other equally important objectives of economic development, neighborhood revitalization, and prevention of displacement of residents, the Commission may allow reasonable exemptions from these regulations for Type II Certificates of Appropriateness for repair only to a property owner's principal residence on the ground of economic hardship to the property owner.
  - b. The burden of proving economic hardship by a preponderance of the evidence shall be on the applicant.
  - c. The Commission shall consider the following factors in determining whether an economic hardship exemption in whole or in part will be granted:
    - i. The present income of the property owner(s) and those occupying the property;
    - ii. The age of the property owner;
    - iii. The length of time the property owner has resided in the neighborhood or in the residence for which the exemption is sought;
    - iv. The availability of other sources of funds that are appropriate to the circumstances of the applicant, including loans, grants, and tax abatements;
    - v. The costs associated with adherence to these regulations;
    - vi. The degree of existing architectural significance and integrity of the structure; and
    - vii. The purpose and intent of this Chapter.

- d. The Commission shall consider these factors. If it finds that the applicant's economic hardship outweighs the need for strict adherence to these regulations it shall grant an exemption, in whole or in part, as appropriate.
- 5. Subdivisions or Aggregation.

The platting pattern of the Inman Park historic District is an integral part of the historic character of the District. No subdivision shall be approved unless it can be shown that the proposed subdivision is substantially consistent with the historic character of the District. In addition to the requirements of the subdivision and zoning ordinances, including but not limited to Sections 15-08.002(a)(2) and 15-08.005(d)(6), all subdivisions of lots shall conform to the historic platting pattern in the Inman Park Historic District with regard to lot size, dimensions, and configurations. The Compatibility Rule shall apply, and no subdivision shall be approved unless and until the Urban Design Commission has made a finding that it is consistent with this provision or with the platting pattern of the neighborhood, as it existed in 1945.
- 6. Tree Preservation and Replacement. The provisions of the City of Atlanta Tree Ordinance, Atlanta City Code Section 158-26, shall apply to this District.
- 7. Any time the provision 16-20.011(b) of this part is enforced in this District, the Director of the Commission shall notify the Inman Park Neighborhood Association within 10 days and a 30-day period for comment be allowed for the Association. Further, the Director shall regularly send to the Inman Park Neighborhood Association the agenda for each regular meeting and for any special meeting of the Commission in which there is any agenda item for property located within the Inman Park Historic District.

#### **Section 16-20L.006. Specific Regulations for Inman Park Core District, Subarea 1.**

In the Inman Park Core District, Subarea 1, the Commission shall apply the standards referenced in Section 16-20L.005(1)(b) only if the standards set forth below in this Chapter 20L do not specifically address the application:

- 1. Design Standards and other criteria for construction of and for additions to one- and two-family residential structures.
  - a. No individual house design shall be substantially repeated on the same side of a street block.
  - b. An unpaved planting strip adjacent and parallel to the public street shall be provided. The Compatibility Rule shall apply to the dimensions and location of planting strips.
  - c. A sidewalk between the planting strip and the required front yard and parallel to the public street shall be provided. The Compatibility Rule shall apply to sidewalks. The sidewalk shall be the same width as the sidewalk on abutting properties or it shall be the width required by law, whichever is greater. If no sidewalk exists in the block, the new sidewalk shall not be less than six feet wide. If no sidewalk paving material predominates in the block, the sidewalk shall be constructed of the historically accurate material for that block, either hexagonal pavers, concrete inlaid with hexagonal imprint, or brick.
  - d. A paved walkway from the front sidewalk to the front entry of the principal structure shall be provided.

- e. All front facades, front porches, front steps, and front doors of the principal structure shall face and be parallel to the street, except in those blocks in which the historic pattern is such that houses are situated at an angle to the street, in which case the Compatibility Rule shall apply.
- f. The Compatibility Rule shall apply to the form and pitch of the primary roof of the principal structure.
- g. The Compatibility Rule shall apply to the height, scale, and massing of the principal structure. In no case shall the height of a structure exceed 35 feet. (See Section 16-28.022 for excluded portions of structure.)
- h. Height of the first floor of the front façade above grade shall be subject to the Compatibility Rule. The first floor of the principal structure shall be on foundations and shall be elevated above grade at the front façade a minimum of two entrance risers each of which shall be not less than 7 inches in height. Slab-on-grade construction is not permitted.
- i. Front porches on principal structures shall be required. The Compatibility Rule shall apply to the design and size of said front porches, provided that such porches shall be a minimum of 12 feet wide or one-half of the width of the front façade, whichever is greater, and a minimum of 8 feet deep. Front porches shall contain roofs, balustrades, columns, steps, and other features compatible with porches in the existing block. Front porches may extend up to 10 feet into the required front yard. All front porch steps shall have closed risers and ends.
- j. Decks are permitted only when located to the rear of the principal structure and such decks shall be no wider than the width of the house.
- k. The use of chimneys with new principal structures is encouraged. When any portion of a chimney is visible from a public street or park as a façade element, the chimney shall originate at grade.
- l. Fences and walls, excluding retaining walls, visible from a public street or park upon completion, subject to the provisions of Section 16-28.008(5) and the following limitations, may occupy required yards:
  - i. Fences not exceeding 4 feet in height may be erected in the front yard or half-depth front yard. Walls, excluding retaining walls, are not permitted in the front yard or in other yards adjacent to public streets.
  - ii. Fences and walls not exceeding 6 feet in height may be erected in side or rear yards.
  - iii. The Compatibility Rule shall apply to all fences located in a required front yard adjacent to a street. Such fences shall be constructed of brick, stone, ornamental iron, or wood pickets. Chain link fencing is not permitted in front yards or in other yards adjacent to public streets.
- m. The Compatibility Rule shall apply to portions of retaining walls located in a required front yard or in a required yard adjacent to a public street that are visible from a public street or park. Such retaining walls shall be faced with stone, brick, or smooth stucco. The Compatibility Rule notwithstanding, no single section of such retaining wall shall exceed 4 feet in height.
- n. The compatibility rule shall apply to the following aspects of fenestration, if visible from a public street or park upon completion:
  - i. The style of the individual window.

- (1) Windows in the front façade shall be predominantly vertical in proportion.
      - (2) If muntins and/or mullions are used, such muntins and/or mullions shall be either true divided lights or simulated divided lights with muntins integral to the sash and permanently affixed to the exterior face of glass.
      - (3) Window and door casings widths and depths are subject to the Compatibility Rule.
    - ii. The size and shape of individual window openings.
    - iii. The overall pattern of fenestration as it relates to the building façade.
  - o. Mechanical equipment shall be located to the side and rear of the principal structure and where possible in the location least visible from a public street or park. Screening with appropriate plant material or fencing is required if the equipment is visible from a public street or park.
  - p. Wood lap siding, cementitious lap siding, brick, stone, external insulating finishing system (“EIFS”), and true stucco systems are permissible building materials for the façade of the principal structure. Corrugated metal, aluminum siding, and vinyl siding are not permitted.
  - q. The Compatibility Rule shall apply to building materials and design elements, if visible from a public street or park upon completion, and in addition to all other applicable regulations, as follows:
    - i. The dimensions of the exposed face of lap siding and wood shingles.
    - ii. The type of brick and pattern of brickwork.
    - iii. The type of stone and pattern of stonework.
    - iv. The material and texture of stucco.
    - v. The size and type of doors.
      - (1) Exterior doors shall be wood panel or fixed glass panel in wood frame.
    - vi. The materials and pattern of roofing.
    - vii. Paving materials for walks and drives.
      - (1) Asphalt is not permitted.
    - viii. Visible foundation materials.
      - (1) Foundations shall constitute a distinct building design element and shall contrast with the primary façade siding material. Exposed concrete or CMU foundation walls are prohibited as a finished surface.
    - ix. Visible portions of chimneys.
      - (1) Chimneys shall be faced with masonry. Siding on chimneys is not permitted.
    - x. Skylights are permitted where not visible from a public street or park wherever possible. Protruding bubble skylights are prohibited.
2. *Minimum Yard Requirements.* The following minimum yard requirements and maximum floor area ratio shall apply to all permitted uses of new construction and to additions to existing structures: Front, side, and rear setbacks shall be subject to the Compatibility Rule.
3. *Off-street parking and driveways.* In addition to the provisions of Section 16-28.008(7),



which shall apply and are incorporated herein, the following parking requirements shall apply to all permitted uses:

- a. Off-street parking shall not be permitted between the principal structure and any public street.
- b. Parking shall not be permitted on walkways that are located between the street and the façade of the principal structure.
- c. The use of alleys for access to such parking is both permitted and encouraged. No variance is required for driveways coming off of an alley.
- d. Driveways shall not exceed a width of 10 feet not including the flare at the street.
- e. Side by side driveways are not permitted except upon approval of the Urban Design Commission.

4. *Principal uses and structures:*

- a. Properties that have an underlying zoning designation of R-5 shall be used only for the following principal purposes subject to the following provisions:
  - i. Single-family detached dwelling.
  - ii. Two-family dwelling, subject to the limitations and requirements set forth herein.
  - iii. In no case shall there be more than one principal building and one principal use on a lot.
  - iv. A lot shall not be used for more than two dwelling units.
  - v. Floor area ratio shall not exceed 0.50.
- b. Properties that have an underlying zoning designation of RG-1 shall be used as is otherwise permitted pursuant to the provisions of Chapter 8 of this Part and shall comply with all applicable provisions of this Chapter 20L.
- c. Properties that have an underlying zoning designation of RG-2 shall be used as is otherwise permitted pursuant to the provisions of Chapter 8 of this Part and shall comply with all applicable provisions of this Chapter 20L.
- d. Properties that have an underlying zoning designation of RG-3 (Residential General, Sector 3) District shall be used as is otherwise permitted pursuant to the provisions of Chapter 8 of this Part and shall comply with all applicable provisions of this Chapter 20L.
- e. Properties that have an underlying zoning designation of RG-3-C (Residential General, Sector 3-Conditional) District shall be used as is otherwise permitted pursuant to the provisions of Chapter 8 of this Part and to the conditions imposed by the City Council and Mayor and shall comply with all applicable provisions of this Chapter 20L.
- f. Properties that have an underlying zoning designation of NC-1 (Neighborhood Commercial-1) District shall be used as is otherwise permitted pursuant to the provisions of Chapter 32 of this Part and shall comply with all applicable provisions of this Chapter 20L.
- g. Properties that have an underlying zoning designation of R-LC (Residential-Limited Commercial) District shall be used as is otherwise permitted pursuant to the provisions of Chapter 9 of this Part and shall comply with all applicable provisions of this Chapter 20L.
- h. Properties that have an underlying zoning designation of R-LC-C (Residential-Limited Commercial-Conditional) District shall be used as is otherwise permitted

pursuant to the provisions of Chapter 9 of this Part and to the conditions imposed by the City Council and Mayor and with all applicable provisions of this Chapter 20L.

- i. Properties that have an underlying zoning designation of C-1 (Commercial) District shall be used as is otherwise permitted pursuant to the provisions of Chapter 11 of this Part and shall comply with all applicable provisions of this Chapter 20L.
  - j. Properties that have an underlying zoning designation of C-2 (Commercial Service) District shall be used as is otherwise permitted pursuant to the provisions of Chapter 12 of this Part and shall comply with all applicable provisions of this Chapter 20L.
  - k. Properties that have an underlying zoning designation of C-2-C (Commercial Service-Conditional) District shall be used as is otherwise permitted pursuant to the provisions of Chapter 12 of this Part and to the conditions imposed by the City Council and Mayor and shall comply with all applicable provisions of this Chapter 20L.
  - l. Properties that have an underlying zoning designation of I-1 (Light Industrial) District shall be used as is otherwise permitted pursuant to the provisions of Chapter 16 of this Part and shall comply with all applicable provisions of this Chapter 20L.
  - m. Properties that have an underlying zoning designation of SPI-5 (Inman Park Special Public Interest) District shall be used as is otherwise permitted pursuant to the provisions of Chapter 18E of this Part and shall comply with all applicable provisions of this Chapter 20L.
  - n. Properties that have an underlying zoning designation of PD-MU (Planned Development-Mixed Use) District shall be used as is otherwise permitted pursuant to the provisions of Chapter 19B of this Part and to the conditions imposed by the City Council and Mayor and shall comply with all applicable provisions of this Chapter 20L.
5. *Limits on two-family development.*  
In order to preserve the character of single-family pattern of development and to preserve the historic pattern of development in which accessory buildings are visually subordinate to principal residential buildings, the following regulations shall apply:
- a. Principal buildings that are designed as two-family dwellings shall conform to the historic pattern in which the two dwelling units are attached and are either side by side or one unit is located above the ground floor unit. The Compatibility Rule shall apply to the configuration of the duplex structure.
  - b. Where an accessory building is used as a detached single-family dwelling, the following limits shall apply:
    - i. The accessory dwelling unit shall not exceed 1,200 square feet or 40 percent of the area of the principal building, whichever is less.
    - ii. For the purposes of Subsection 6.g.v below, which limits the total allowable area of the accessory building to 30 percent of the principal building, the square footage of the accessory dwelling unit shall not be included when calculating the total area of the accessory building.
6. *Permitted accessory uses and structures:*

These regulations permit uses and structures that are customarily incidental and subordinate to permitted principal uses and structures. These include but are not limited to the following, subject to limitations and requirements set forth herein or elsewhere in this part:

- a. Greenhouses, garden sheds, private garages, and similar structures. When a private garage is part of a principal structure, the garage door may not be located on the front façade of the principal structure, nor the side façade if visible from a public street or park.
- b. Swimming pools, tennis courts, and similar active recreation facilities subject to the following limitations:
  - i. Such active recreation facilities in any yard, required or other, adjacent to a street shall require a Special Exception from the Urban Design Commission, which special exception shall be granted only upon finding that:
    - (1) The location will not be objectionable to occupants of neighboring property, or the neighborhood in general, by reason of noise, lights, or concentrations of persons or vehicular traffic, and
    - (2) The area for such activity could not reasonably be located elsewhere on the lot.
  - ii. The Urban Design Commission may condition any Special Exception for such facilities based on concerns regarding fencing, screening or other buffering, existence and/or location of lighting, hours of use, and such other matters as are reasonably required to ameliorate any potential negative impacts of the proposed facility on adjoining property owners.
- c. Home occupations, subject to limitation set forth in Section 16-29.001(17).
- d. Structures necessary for active construction projects.
- e. Devices for the generation of energy, such as solar panels, wind generators and similar devices, but not located in or to the front of the principal structure.
- f. The following regulations shall apply to all permitted accessory uses and structures:
  - i. Except in the case of home occupation, no accessory use shall be of a commercial nature.
  - ii. No accessory structure shall be constructed until construction of the principal structure has actually begun, and no accessory structure shall be used or occupied until the principal structure is completed and in use.
  - iii. Accessory structures shall not cover more than 25 percent of the rear yard.
  - iv. Accessory structures shall be placed behind the principal structure within the buildable area of the lot.
  - v. Accessory structures shall not exceed 25 feet in height or the height of the principal structure, whichever is less, and shall not contain a total floor area greater than 30 percent of the floor area of the principal structure.

## **Section 16-20L.007. Specific Regulations for Subarea 2, DeKalb Avenue Corridor Transitional District.**

The DeKalb Avenue Corridor Transitional District, Subarea 2, consists of properties that are zoned C-1, C-2, C-2-C, I-1, and other zoning classifications. The following regulations shall apply to all properties located within this Subarea 2.

1. The intent of the regulations for the DeKalb Avenue Corridor Transitional District, Subarea 2, is as follows:
  - a. To mitigate any negative effects that existing and proposed commercial properties may have on adjoining residential properties in the Inman Park Historic District.
  - b. To ensure harmony between existing and future uses of the properties in this subarea and the overall residential character of the district.
  - c. To discourage displacement of residents, to allow for a variety of housing opportunities compatible with and complementary to the architectural character of the neighborhood, and to ensure the health, safety, and welfare of the neighborhood residents.
2. Single and Two-family Residential Uses.  
For single and two-family residential uses the regulations set forth in Section 16-20L.006 shall apply.
3. Multifamily Residential Uses.  
For multifamily uses the following controls and requirements shall apply:
  - a. *Development Controls:*
    - i. *Setbacks:* The front yard setback shall not be less than five (5) feet nor greater than fifteen (15) feet. Other setbacks shall be regulated by the applicable commercial district regulations.
    - ii. *Bulk Limitations:* Floor area ratio shall not exceed an amount equal to 0.696 times (69.6%) net lot area.
  - b. *Height:*
    - i. *Maximum building heights:* Buildings located within one-hundred-fifty (150) feet of a single-family or a two-family residential district boundary shall have a maximum height of thirty-five (35) feet. Buildings located between one hundred-fifty (150) feet and three hundred (300) feet from a single-family or a two-family residential district boundary shall have a maximum height of fifty-two (52) feet.
    - ii. *Transitional height planes:* Where this use adjoins a district in R-1 through RG, PD-H, or any other exclusively residential zoning classification without an intervening street, height within the subarea shall be limited as follows: No portion of any structure shall protrude through a height-limiting plane beginning thirty-five (35) feet above the buildable area boundary nearest to the common residential district boundary and extending inward over the commercial subarea at an angle of forty-five (45) degrees.
  - c. *Off-street parking requirements:* Off-street parking shall not be permitted between the principal structure and any public street.
  - d. *Architectural Standards:* The standards contained in Section 16-20L.005(1)(b) and Section 16-20L.005(1)(c) shall apply.

4. Nonresidential Uses.  
For nonresidential uses the following controls and requirements shall apply:
  - a. *Development Controls:*
    - i. *Setbacks:* The front yard setback shall not be less than five (5) feet nor greater than fifteen (15) feet. Other setbacks shall be regulated by the applicable commercial district regulations.
    - ii. *Bulk Limitations:* Floor area ratio shall not exceed an amount equal to one (1.0) times (100%) net lot area.
  - b. *Height:*
    - i. *Maximum building heights:* Buildings located within one-hundred and fifty (150) feet of a single-family or a two-family residential district boundary shall have a maximum height of thirty-five (35) feet. Buildings located between one hundred-fifty (150) feet and three hundred (300) feet from a single-family or a two-family residential district boundary shall have a maximum height of fifty-two (52) feet.
    - ii. *Transitional height planes:* Where this use adjoins a district in R-1 through RG, PD-H, or any other exclusively residential zoning classification without an intervening street, height within the subarea shall be limited as follows: No portion of any structure shall protrude through a height-limiting plane beginning thirty-five (35) feet above the buildable area boundary nearest to the common residential district boundary and extending inward over the commercial subarea at an angle of forty-five (45) degrees.
  - c. *Off-street parking requirements:* Off-street parking shall not be permitted between the principal structure and any public street.
  - d. *Architectural Standards:* The standards contained in Section 16-20L.005(1)(b) and Section 16-20L.005(1)(c) shall apply.
5. Zoning variances granted prior to enactment of this chapter. Any owner of property who obtained, on or after January 1, 1982, and prior to the effective date of this Chapter, a variance from the city board of zoning adjustment to construct all or a portion of a project within the boundaries of this district, shall be entitled to construct said project in accordance with the plans presented in said application, the provisions of Section 16-20L.007 notwithstanding.

**Section 16-20L.008. Specific Regulations for Subarea 3, Railroad Corridor Commercial and Industrial District, Subarea 3.**

The following regulations shall apply to all properties located within Railroad Corridor Commercial and Industrial District, Subarea 3:

1. Statement of intent. The intent of the regulations for the Railroad Commercial and Industrial Corridor, Subarea 3, is as follows:
  - a. Create a diversified urban environment where people can live, work, and play.
  - b. Assure that uses and building forms are compatible with the scale and character of Subarea 1
  - c. Create new commercial nodes in areas so indicated in the comprehensive

development plan that are pedestrian-oriented and provide uses that primarily serve adjacent neighborhoods.

- d. Promote a balance of retail, service, office, dining, and residential uses that serve the subarea and adjacent neighborhoods.
- e. Prohibit the development of larger scale highway-oriented retail, service, office, and dining uses intended to serve larger areas of the city than a single neighborhood or a small group of neighborhoods.
- f. Encourage a grid of connected streets to improve access and reduce congestion.
- g. Facilitate safe, attractive, and convenient pedestrian circulation and minimize conflicts between pedestrians and vehicles.
- h. Encourage pedestrian flow through the design of buildings with sidewalk-level uses opening directly onto sidewalks adjacent to public streets.
- i. Improve pedestrian access within the subarea and to and from the surrounding neighborhoods.
- j. Establish building facade lines and sidewalk requirements and reserve the space between buildings and the street for pedestrian functions.
- k. Provide sufficient, safe and accessible open space for active and passive enjoyment by residents and workers.
- l. Encourage the rehabilitation or development of industrial areas to include proportionately significant residential uses.
- m. Minimize the use of adjacent neighborhood streets for commercial area parking by establishing adequate parking requirements and encouraging shared parking arrangements.

2. Open space.

- a. For residential uses. If residential use is 20 percent or more of the floor area of the development of a lot, the residential component of the development shall provide the amount of open space required by Table 1, subsection 16-08.007(3). No open space requirement shall apply to residential use in a development if less than 20 percent of the floor area of the development is residential use.
- b. For nonresidential uses. For developments of less than 40,000 square feet of nonresidential development, no open space or public space is required per this section (although the sidewalk requirements in subsection 16-20L.008(6) shall be applicable). For developments of at least 40,000 square feet of nonresidential development and no more than 75,000 square feet of nonresidential development, a minimum of five percent of the lot shall be reserved for public space. For developments of at least 75,000 square feet of nonresidential development and no more than 125,000 square feet of nonresidential development, a minimum of ten percent of the lot shall be reserved for public space. For developments exceeding 125,000 square feet of nonresidential development, a minimum of 20 percent of the lot shall be reserved for public space. Public space shall have the meaning set forth in section 16-28.012.
- c. For mixed uses. The sum of minimum open space requirements specified for nonresidential and residential above shall be met; provided, however, that no open space or public space requirements shall apply to either the residential or the nonresidential component of a development if such component comprises less than 20 percent of the floor area developed on the lot.

- d. New streets. May be counted towards total open space, usable open space, or public space requirements provided the following criteria are met:
  - i. Connects two other public streets.
  - ii. All other sidewalk requirements are met.
  - iii. Has a maximum width of 40 feet, measured from back of curb to back of curb, including two on-street parallel parking lanes, two travel lanes, and sidewalk extensions at intersections and granite curbs.
  - iv. When adjacent to a park, new streets shall meet all of the above requirements along each park edge.
- 3. New on-street parking. Parallel parking may be counted towards total open space, usable open space, or public space requirements provided the following criteria are met:
  - a. No on-street parking currently exists in the public right-of-way.
  - b. The new on-street parking is located where there is no existing street lane.
  - c. The on-street parking occupies an entire block face or a minimum distance of 100 feet.
  - d. Sidewalk extensions are provided at street intersections.
  - e. All other sidewalk requirements are met.
- 4. Relocation of minimum open space requirements. A maximum of 50 percent of a development's required total open space, usable open space, or public space may be relocated to an offsite parcel within one-fourth mile of the principal site, provided that the following criteria are met:
  - a. The receiving parcel is identified in the City of Atlanta Comprehensive Development Plan as being a designated recipient parcel.
  - b. The receiving parcel contains the required amount of open space and said open space in the receiving parcel is located adjacent to and visible from a public street and is accessible to the public during normal city park hours.
  - c. All of the open space in the receiving parcel meets the definition of "usable open space" except that no portion of any public right-of-way shall be included.
  - d. The open space in the receiving parcel provides active or passive recreational amenities.
  - e. The applicant submits a plan, acceptable to the commission, that provides for the permanent protection of and maintenance of the open space.
- 5. Properties adjacent to the railroad. Shall have a minimum of a 20 feet continuous buffer adjacent to the railroad corridor. Said buffer may not be required to exceed 20 percent of the total property area and shall be completely landscaped except for trails, paved walkways, benches and other such recreational features as approved by the director of the bureau of planning. A development may count this buffer area as part of the required open space or public space for the lot, even if such buffer area is dedicated to the city or other governmental entity for recreation use or such buffer area is conveyed to a conservation group. To the extent a development is required to provide a buffer in excess of 100 feet in length, such excess buffer shall entitle the development to the floor area bonus provided in section 16-20L.008(14)c.i. of these regulations.
- 6. Sidewalk regulations. Sidewalks and street trees and all related improvements shall be provided as is described in this subsection 6. Sidewalks may be counted toward total open space, usable open space, or public space requirements provided the following requirements are met.

- a. Public sidewalks shall be located along all public streets and shall have minimum width of 12 feet.
- b. Sidewalks consist of two zones:
  - i. A street furniture and tree-planting zone;
  - ii. A clear zone.
- c. The street furniture and tree-planting zone shall have a minimum width of five feet. Said zone shall be located immediately adjacent to the curb and shall be continuous. Trees are required, and this zone may also be used for the placement of street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.
- d. Street trees are required and shall be planted in the ground a maximum of 40 feet on center within the street furniture and tree-planting zone and spaced an equal distance between street lights. All newly planted trees shall be a minimum of four inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven feet. Trees shall have a minimum planting area of 25 square feet. All plantings, planting replacement, and planting removal must be approved by the city arborist. The area between required plantings shall be planted with evergreen ground cover such as mondo grass or *liriope spicata*.
- e. Tree grates are not required where all sidewalk width requirements are met. Where tree grates are installed, they shall be a minimum of four feet by eight feet, shall be a type specified by the director of planning in accordance with uniform design standards utilized by the director of planning for placement of such objects in the public right-of-way, and shall be placed within the street furniture and tree-planting zone.
- f. Nothing may be erected, placed, planted, or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections between the heights of two and one-half feet and eight feet above grade.
- g. No awning or canopy may encroach more than five feet over the required sidewalk.
- h. Where property within this district abuts an R, RG, or PD-H district without an intervening street, the sidewalk area within 20 feet of such districts shall taper as necessary to provide a smooth transition to the existing R, RG, or PD-H districts sidewalk. In the event that the abutting R, RG, or PD-H district has no existing sidewalk, the sidewalk shall taper to a width of six feet.
- i. Decorative pedestrian lights, where installed, shall be placed a maximum of 40 feet on center and spaced equal distance between required trees along all streets. Where installed, said lights shall be located within either the street furniture and tree-planting zone or the supplemental zone. All said lights shall be Atlanta Type "C" as approved by the planning bureau.
- j. Every commercially reasonable effort shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.
- k. Trash receptacles, where installed, shall be a type specified by the director of



planning in accordance with uniform design standards utilized by the director of planning for placement of such objects in the public right-of-way and shall be placed within the street furniture and tree-planting zone.

1. The clear zone shall be a minimum width of seven feet along all streets. Said zone shall be located adjacent to the street furniture and tree-planting zone and shall be continuous. Said zone shall be hardscape and shall be unobstructed for a minimum width of seven feet and a minimum height of eight feet by any permanent or nonpermanent element.
7. Block sizes.
  - a. New development proposing to contain an entire block face greater than 600 feet in length shall be traversed by streets which create block faces no more than 400 feet in length. Such streets shall function as public streets and shall connect two other public streets.
8. Building heights.
  - a. *Minimum building facade heights.* Buildings shall have a minimum facade height of 18 feet along each facade visible from any public street or park.
  - b. *Maximum building heights.* Structures within 150 feet of the boundary of any R-1 through R-5 residential districts shall not exceed a maximum height of 35 feet, except, however, that mixed-use structures shall be a maximum height of 28 feet--40 feet with the specific height to be determined by the urban design commission, considering the height of surrounding structures or buildings provided that such approval, if granted, shall not have substantive detriment to the public good nor impair the purposes and intent of this chapter.

The commission may approve, by variance, an addition to the above range of heights, to accommodate unusual topographic conditions, so that the UDC approved height is above the grade of the street on which said building faces. Structures that are located 150 feet or more from the boundary of any R1--R5 residential district shall not exceed a maximum height of 52 feet. The commission may approve, by variance, a building height not exceeding 76 feet where the building is located 150 feet or more from the boundary of any R-1 through R-5 residential district and where there are unusual topographic conditions and where the height of any such building does not exceed 52 feet above the grade of the street on which said building faces.
9. Building setbacks.
  - a. *Side or rear yard.*
    - i. For residential uses: A minimum 20 feet side and rear yard setback is required.
    - ii. For nonresidential uses: No requirement.
  - b. *Front yard.* For residential uses, a minimum ten-foot front yard, measured from the front property line, is required. For nonresidential uses, no front yard is required.
10. Parking, curb cuts, and parking structures.
  - a. Sidewalk paving materials shall be continued across intervening driveways.
  - b. Driveways shall have a band of textured concrete adjacent to the street in line with and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the sidewalk in line with the supplemental zone and a minimum width of five feet from the sidewalk. No more than one curb cut is permitted for each frontage of a lot,

provided that lots with more than 300 feet of frontage on any single street may have two curb cuts on such street in addition to one curb cut for each other street frontage.

c. One-way driveways and curb cuts are limited to a maximum width of 12 feet and two-way driveways and curb cuts are limited to a maximum width of 24 feet.

d. No circular drives may be located between any building and any public street.

e. Curb cuts and driveways are not permitted on any arterial street when access may be provided from a side or rear street or from an alley.

f. Parking areas or driveways are not permitted between the sidewalk and a building, except as follows: Driveways to reach the side yard or rear yard of a lot are permitted; driveways to reach an on-site parking facility are permitted, and, for lots with three or more frontages, parking spaces and/or loading areas may be located between a building and the street on one side of the building.

g. Entrances to garages that serve residential units shall be located in a side or rear yard that is not visible from a public street or park.

h. All contiguous ground-floor residential units shall share one common drive, located in rear yards or side yards without street frontage, to serve garages and parking areas.

i. Parking deck facades shall conceal automobiles from visibility from any public right-of-way or private drive or street that is open to the general public, and shall have the appearance of a horizontal storied building.

j. Parking decks along the street frontage shall have:

i. Ground floor storefronts; or

ii. Ground floor residential uses.

k. A common or joint driveway may be authorized by the director of the bureau of planning when adjacent lots have direct vehicular access to a street. A driveway from a private street that functions as a public street may be authorized by the director of the bureau of planning when a perpetual easement agreement is agreed upon by all affected property owners and a copy of such recorded agreement is provided to the bureau of planning.

l. All developments shall have sidewalks a minimum width of four feet connecting ground level parking to the public sidewalks and to all building entrances.

m. No drop-off lanes are permitted along public streets.

11. Lighting, security, and maintenance requirements for parking structures and surface parking lots.

a. Lighting shall be provided throughout all parking facilities at a minimum of one-half foot candle of light.

b. Parking deck lighting fixtures may not be visible from any public street or park or from any private street.

c. Parking facilities shall be maintained in a clean, safe, and sanitary condition. Parking spaces and driving lanes shall be clearly defined and maintained.

12. Minimum landscaping requirements for surface parking lots. All parking lots containing five or more parking spaces shall comply with all of the requirements of section 16-14.012.

13. Permitted uses. The regulations of C-2, I-1, and I-2 notwithstanding, within the Railroad Commercial and Industrial Corridor, Subarea 3, a building or premises shall be used only for the following principal purposes, except that only properties that: (1) are zoned I-1 or I-2 or (2) that are used as legal nonconforming uses on the date of enactment of this chapter, may be used for subsection 13.i. below:

- a. Bakeries and catering establishments not exceeding 5,000 square feet of floor area.
  - b. Banks and similar financial institutions not exceeding 8,000 square feet of floor area and having a footprint no greater than 4,000 square feet.
  - c. Barber shops, beauty shops, and similar personal service establishments not exceeding 4,000 square feet.
  - d. Child care centers, kindergartens, and special schools not exceeding 8,000 square feet.
  - e. Commercial greenhouses not exceeding 12,000 square feet.
  - f. Commercial recreation establishments including theaters and similar uses, all within fully enclosed buildings, and not exceeding 8,000 square feet of floor area.
  - g. Eating and drinking establishments not exceeding 12,000 square feet of floor area.
  - h. Laundry and dry cleaning collection stations not exceeding 2,000 square feet and laundry and dry cleaning establishments where equipment is operated by customers, not exceeding 2,000 square feet of floor area.
  - i. Manufacturing, wholesaling, repairing, compounding, assembly, processing, preparation, packaging or treatment of articles, foods, components, products, clothing, machine, and appliances, where floor area does not exceed 15,000 square feet and subject to noise limitation standards set forth in paragraph 19 below.
  - j. One- and two-family dwellings, subject to the requirements of section 16-20L.006 for new construction.
  - k. Multifamily dwellings, not to exceed residential general, sector 3.
  - l. Museums, art galleries, and studios, and similar cultural facilities.
  - m. Nursing homes and convalescent centers.
  - n. Offices and clinics, including veterinary clinics, laboratories, studios, and similar uses. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential use.
  - o. Printing establishments not exceeding 13,000 square feet of floor area.
  - p. Professional services establishments not exceeding 12,000 square feet of floor area.
  - q. Repair garages.
  - r. Retail establishments not exceeding 12,000 square feet of floor area.
  - s. Service and repair establishments not exceeding 8,000 square feet of floor area.
  - t. Structures and uses required for operation of MARTA or a public utility but not including uses involving storage, parking, train yards, warehousing, switching, or maintenance shops as the primary use.
  - u. Supermarkets not exceeding 20,000 square feet of floor area.
  - v. Tailoring and similar establishments not exceeding 2,000 square feet of floor area.
14. Development controls.
- a. Bulk limitations. For purposes of this chapter, and notwithstanding the provisions of Code section 16-29.001(24), mixed-use development is defined as any development which contains as principle uses both residential and nonresidential uses on the same development site, and in which both of such uses are at least 20 percent of the total floor area, excluding accessory uses.
  - b. Maximum permitted floor area ratios without bonuses:
    - i. For nonresidential uses, floor area shall not exceed an amount equal to 1.0 times net lot area.

- ii. For residential uses, floor area shall not exceed an amount equal to 0.696 times gross lot area.
  - iii. For mixed use, floor area ratio shall not exceed 1.196 times net lot area, but not greater than the maximum ratios permitted for each and not greater than a total of 1.196 (See section 16-29.001(24)).
- c. Maximum permitted floor area with bonuses: Under no circumstances shall the floor area of any development with bonuses exceed an amount equal to 1.49 times net lot area. Floor area bonuses are as follows:
  - i. Open space and streets bonus. Subject to the maximum permitted floor area of 1.49 times net lot area set forth above, a development shall be entitled to a floor area bonus such that for every one square foot by which the total of open space and/or public space provided on a lot (including new streets that satisfy the standards of subsection 16-20L.008(2)) exceeds the requirements of subsections 16-20L.008(2)(a) [residential open space], 16-20L.008(2)(b) [nonresidential public space] and 16-20L.008(2)(c) [mixed use public space], as applicable, up to two additional square feet of floor area is permitted on such lot. Such bonus shall apply regardless of whether such excess open space and/or public space is provided pursuant to any other requirements of this chapter (e.g., railroad buffer, new streets, and/or sidewalks).
  - ii. Affordable housing bonus. Residential uses shall be permitted a floor area bonus of 0.500 times gross lot area, provided that 30 percent or more affordable sales housing units or rental housing units are provided for that portion of residential units resulting from the bonus.
  - iii. Ground-floor commercial office or retail bonus. Developments which provide street-fronting, sidewalk level retail office or retail establishments or eating and drinking establishments which together comprise a minimum of 20 percent of the building foot print and meet all of the requirements of subsection 16-18X.012(7) shall entitle the development a floor area bonus equal to the square footage of such establishments, which bonus may be used for residential or nonresidential development subject to the maximum floor area ratio with bonuses of 1.49.
  - iv. Civic bonus. Developments which provide recreational centers, community centers and community service facilities which are available to the general public during normal city recreational center, community center or community service hours shall be permitted a floor area bonus equal to the total recreational center, community center or community service facility floor area.
  - v. Affordable new sales housing units or rental housing units requirements.
    - (1) Affordable housing shall have the meaning set forth in chapter 19, section 19-1006 of the Code of Ordinances of the City of Atlanta.
- d. Affordable housing requirements shall be in place for a minimum of 20.
- e. No housing unit associated with a development project for which bonus FAR calculations were applied shall be issued an occupancy permit until such time as documentation is provided to the bureau of buildings establishing that the affordable housing requirements have been met and have been instituted as part of the warranty deed as an allowable exception to title for each affordable unit that is a part of said development project.

15. Off-street parking requirements.
  - a. Off-street parking shall not be located between the principal structure and the street except that one parking area between the street and one side of a building shall be allowed for lots with three or more frontages. Off-street parking shall be accessory to a permitted principal use only, provided that parking spaces serving another principal permitted use may use such facility for shared parking during non-normal business hours.
  - b. Electric vehicle charging stations. All automobile parking facilities shall include electric vehicle charging stations in a ratio of at least one station for every 100 automobile parking spaces. No development is required to exceed a maximum of 12 electric vehicle-charging stations.
  - c. For residential uses: As required by subsection 16-08.010(4).
  - d. All other uses shall provide parking as is required by the underlying zoning classification.
  - e. Variations in parking requirements. The director of the bureau of planning may reduce parking requirements, provided the character or use of the building is such as to make unnecessary the full provisions of parking facilities, or where such regulations would impose an unreasonable hardship on the use of the lot; or provided there is a shared parking arrangement. Said shared parking arrangement shall avoid conflicting parking demands and provide for safe pedestrian circulation and access. Additionally, all shared parking spaces shall be clearly marked and signed as reserved during specified hours. An applicant shall submit the following:
    - i. A to-scale map indicating location of all proposed parking spaces;
    - ii. Hours of business operation(s);
    - iii. Written consent of all property owners agreeing to the shared parking arrangement;
    - iv. Copies of parking leases.
  - f. Notwithstanding any provision of the City of Atlanta Code of Ordinances to the contrary, park-for-hire surface parking lots and park-for-hire parking decks are permitted only as an accessory use. Said accessory spaces in park-for-hire decks may be authorized to be used only as part of a shared parking arrangement after normal business hours.
16. Minimum bicycle parking requirements.
  - a. All nonresidential developments that provide automobile parking facilities shall provide bicycle/moped parking facilities at a ratio of at least one bicycle/moped parking space per 20 automobile parking spaces. Multi-family developments shall provide said facilities at a ratio of a minimum one bicycle/moped parking space per five multi-family units. No development, except a one or two-family development, may have fewer than three bicycle/moped parking spaces nor be required to exceed a maximum of 50 spaces. Bicycle/moped spaces shall be located within the street furniture zone a maximum distance of 100 feet of the building entrance, or located at least as close as the closest automobile space, except for handicapped parking spaces. Each space shall include a metal anchor sufficient to secure the bicycle/moped frame when used in conjunction with a user-supplied lock.
17. Other general requirements for uses permitted within subarea 3.
  - a. Repair garages shall not have entrances to service bays and/or vehicle storage areas that are open to and visible from a public street or park.

b. One and two-family residences shall comply with the requirements of section 16-20L.006.

18. The standards contained in subsection 16-20L.005(1)(b) and subsection 16-20L.005(1)(c) shall apply.

19. Noise limitation standards. The Atlanta Noise Ordinance, Atlanta Code section 74-129 et seq., as it may be amended from time to time, shall apply to this district.

20. Zoning variances granted prior to enactment of this chapter. Any owner of property who obtained, on or after January 1, 1982, and prior to the effective date of this chapter, a variance from the city board of zoning adjustment to construct all or a portion of a project within the boundaries of this district, shall be entitled to construct said project in accordance with the plans presented in said application, the provisions of section 16-20L.008 notwithstanding.

21. Any building existing at the time of enactment of this chapter that is subsequently destroyed either in whole or in part by fire, other act of nature, or by other casualty that is not the fault of the owner, shall be permitted to be rebuilt as it previously existed except, and without any requirement for a certificate of appropriateness, provided that the owner in the process of rebuilding remedies any nonconforming characteristics of the structure that were nonconforming due to the underlying zoning classification (e.g. C-2 or I-1, and provided that any such rebuilding commences no later than 24 months from the date on which said fire, act of nature, or other casualty occurred.

22. Minor alterations may be made to structures and improvements existing at the time of enactment of this chapter and additions may be made to structures existing at the time of enactment of this chapter in the amount of 30 percent of the floor area of such existing structure or 5,000 square feet, whichever is greater, all without the need of obtaining a certificate of appropriateness from the urban design commission, so long as such alterations and additions meet the requirements of the underlying zoning classification (e.g., C-2 or I-2).  
(Ord. No. 2002-28, § 3, 4-10-02; Ord. No. 2002-38, § 1, 5-28-02)